Docket No.: 713-1003 (14199) PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

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Christian BAUER : Confirmation No. 9896

U.S. Patent Application No. 10/767,745 : Group Art Unit: 3632

Group Art Offit. 3032

Filed: January 30, 2004 : Examiner: Alfred J. WUJCIAK

For: RETAINING MEMBER

SUBMISSION UNDER 37 CFR § 1.114

Mail Stop **RCE** Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sirs:

This submission accompanies the filing of an RCE for the above-identified application. This RCE is being filed following the issuance of a Decision on Appeal by the Board of Appeal dated January 14, 2009.